

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE CRESPO,

Plaintiff,

-v-

GUTMAN, MINTZ, BAKER &
SONNENFELDT, LLP *et al.*,

Defendants.

22-CV-6599 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has considered Defendants' letter motion pursuant to Federal Rule of Civil Procedure 30(d)(3)(A) seeking a protective order pursuant to Federal Rule of Civil Procedure Rule 26(c) (*see* ECF No. 40), and Plaintiff's Opposition. (*See* ECF No. 41.) The Court concludes that a protective order is not warranted. Absent questioning that is personally harassing or that calls for privileged testimony, a directive not to answer on grounds of relevance or scope is not appropriate. The questions in the parties' letters do not meet this standard. If counsel on either side concludes, in good faith, that a deposition question is truly harassing and therefore out of bounds, then it may direct the witness not to answer and assume the risk that the witness will have to return upon a later finding by the Court, but the Court does not have the time to referee these disputes in real time.

Defendants' letter motion for a protective order is DENIED. The parties shall recommence the deposition of Defendant Thigpen as soon as practicable and in adherence with this Order.

The Clerk of Court is directed to close the motion at Docket No. 40.

SO ORDERED.

Dated: March 2, 2023
New York, New York



J. PAUL OETKEN
United States District Judge